

Los Angeles Regional Crime Laboratory Facility Authority



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JUNE 6, 2008

The thirty-seventh meeting of the Los Angeles Regional Crime Laboratory Facility Authority was held June 6, 2008 at the Hertzberg-Davis Forensic Center, 800 Paseo Rancho Castilla, Los Angeles, California 90032.

CALL TO ORDER

Chair Fujioka called the meeting to order at 8:10 a.m. The following Directors were present constituting a quorum of the Authority:

William T Fujioka, Chief Executive Officer, County of Los Angeles
Leroy D. Baca, Los Angeles County Sheriff
William J. Bratton, Chief of Police, Los Angeles Police Department
Raymond P. Ciaranna, Acting City Administrative Officer, City of Los Angeles
George A. Pardon, Vice President, California State University at Los Angeles

APPROVAL OF DECEMBER 13, 2007 MINUTES

On motion of Director Pardon, seconded by Director Baca and unanimously carried, the December 13, 2007 minutes were approved as written.

RECEIVE AND FILE MEETING NOTES OF APRIL 3, 2008

Meeting notes of April 3, 2008 were received and filed.

CHAIR'S REPORT

There was none.

ACTION ITEMS:

RECEIVE AND FILE MINUTES OF FEBRUARY 14, 2008 – MEETINGS OF THE FACILITIES MANAGEMENT COMMITTEE

On motion of Director Pardon, seconded by Director Baca and unanimously carried, the February 14, 2008 minutes were received and filed.

CONSIDER CSULA "PROPORTIONATE SHARE" PROPOSAL

Jack Schweizer, Project Coordinator stated that California State University Los Angeles (CSULA) has requested that an alternate method of determining the University proportionate share of the operating expenses of the Crime Lab be considered. Mr. Schweizer reported that the three agencies sublease agreement had been determined by a proportional allocation of useable square footage of the building excluding common areas. Currently, both the Los Angeles Police Department (LAPD) and the Los Angeles County Sheriff's Department (LASD) have 43% of the usable square footage of the building and the CSULA has the remaining 14% of useable square footage.

Mr. Schweizer further stated that the percentage calculation is applied to the total operating cost of the facility and includes the common areas and physical plan. The proposal eliminates the current method of calculating CSULA proportionate share and placing it with a fixed contribution amount based on California State University (CSU) system wide method of allocating funds for the maintenance of university buildings. The Authority's recommendation is to reject CSULA alternate methodology since it is not based upon equity of the allocation of operating cost. Rather it is based upon the CSU system wide rate for maintaining university owned buildings, which the Authority believes is not appropriate for lease space. Should this proposal be adopted, the University will contribute a fixed amount of \$158,495 or approximately 7% of the operating budget and the City and County will be expected to make up the difference of \$80,455 each. Additionally, each year thereafter, CSULA will contribute only the amount allocated from the CSU system with no built-in increase for future operating cost.

Director Pardon stated that the University has presented its proposal and that he has read the staff recommendation and understands the economics of the recommendation. However, the issue with regard to the recommendation is the formula used for determining the allocation of the cost given the type of space the University has in the building. The formula to allocate the class rooms at the same cost as with DNA and other programs in the building, by default creates an inequitable distribution of cost. Therefore, by default, the University cost will be higher due to the overall utilization of the building. However, as part of the agreement, in lieu of any payment for University land, the University would have access to the space.

Chair Fujioka stated that the building is a consequence of the actions of many individuals and numerous meetings. The proportion shared cost was an agreement with the University to occupy space in the building. The percentage was identified for each entity with full involvement of the University.

Director Baca stated that the operational system cannot be discontinued or made similar to the other CSU buildings because this is a laboratory building and it has more advance systems than a traditional classroom. Director Baca presented a letter to the JPA that will facilitate approaching the problem above the University level. The LASD is making an effort to help with the funding issue. Director Baca suggested seeking funds elsewhere in the CSU system and that he has spoken to President Rosser concerning additional funds from the CSU budget.

Director Bratton stated that everybody is in the same situation in regards to budget constraints and suggested Director Pardon obtain the necessary funds.

Director Ciranna stated that a contract was put into place allocating the cost and suggested securing additional funding elsewhere in the CSU system.

Chair Fujioka stated that as an interim step the JPA has the Sheriff's proposal to consider.

Director Pardon stated that funding for maintaining the building is not being funded by the State of California. He presented a funding proposal on State buildings. Chair Fujioka asked if the University provided him with the background on how the formula was established. Director Pardon is familiar with the formula established and the issue is the scope of the cost. No one should be paying more than \$9.10 a square foot. Last year CSULA got funded \$8.44 for utilities and maintenance on the building. The Authority is aware of the cost to operate the University and the reality is that CSULA is taking budget cuts. Director Baca asked the Authority for clarification of how the allocation was developed.

Victor King, University Legal Counsel, explained the principles of the allocation and the percentages that were in place for one year until one of the parties decide to invoke a specific clause in the contract which allows for the Authority to revisit the formula. The parties involved agreed to add the clause in the contract. Invoking the one year clause, all parties have a meeting where there could be a discussion to reopen the issue.

Thomas Faughnan, Principal County Counsel, stated that the facility has shared operating cost that is allocated based upon the usable square footage. Director Baca stated that this building like all buildings on the campus deserves to be maintained properly. The JPA is here to help the University and the JPA is not asking CSULA to relinquish square footage. However, the legal aspect is that CSULA does not want 14% of the operating cost expenditures.

Jack Schweizer, Project Coordinator reported that the total cost to operate the building per square foot is \$9.24, which is in line with the University allocation. Unfortunately, the formula was misapplied to the usable square footage instead of closed square footage of the building.

Chair Fujioka suggested LASD, LAPD and the CSULA attempt to find options and report back at the next JPA meeting.

APPROVAL OF OPERATING BUDGET FY 2008-09

Mr. Schweizer reported the Fiscal Year 2008-2009 budget is divided into two parts. The first part is the three-way shared cost between the Los Angeles Sheriff's Department, the Los Angeles Police Department and the California State University Los Angeles. Mr. Schweizer reported that Administration Supplies is a new item added in compliance with MOA2 Section 2.03 that states that agencies will attempt to combine orders and service contracts in order to receive the beneficial discount.

Director Ciranna asked if the \$300,000-\$400,000 on maintenance was based on actual experience. Mr. Schweizer explained that equipment is covered under warranty and replacement cost has not been paid. Beginning in July, most of the warranties will expire and the facility will experience cost of replacement parts starting next year.

Director Ciranna suggested entertaining the ideas of hiring a student professional worker for assistance. Mr. Schweizer stated his assistant provides more than Senior Typist Clerk duties by contacting vendors for warranty services and handling the security of the building by issuing access cards.

Mr. Schweizer provided detailed information on forecasted budgetary expenditures and noted some personnel changes (copy on file). Mr. Schweizer informed the Authority that the 2008-2009 Budget is due June 30, 2008 in Sacramento and Office of Emergency Services.

On motion of Director Bratton, seconded by Director Ciranna the 2008-2009 Budget was approved as submitted. Director Pardon voted against the budget.

CRIME LAB CONSTRUCTION PHASE II

No action required at this time.

MAIN PARKING LOT MODIFICATIONS

Wesley Grose, Assistant Director requested the JPA's approval to make modifications to the main parking lot entrance. He stated that the modifications would widen the radius to enter and exit the parking lot and will enhance safety and reduce the amount of obstruction. Mr. Schweizer reported that the cost would not exceed \$30,000 and there are sufficient funds in the building's contingency fund to pay for the modifications.

On motion of Director Bratton, seconded by Director Ciranna and unanimously carried, modification to the parking lot was approved.

PURCHASE SCISSOR LIFT

Mr. Schweizer requested the JPA's approval to purchase a scissor lift for the Crime Lab. He explained that it is needed to reach inaccessible areas where valves are located that require routine maintenance and to reach ceiling lights and smoke detectors. The cost to purchase the scissor lift will not exceed \$14,000 and will be taken from the building's contingency fund.

On motion of Director Bratton, seconded by Director Ciranna and unanimously carried, the purchase of scissor lift was approved.

STAFF REPORTS

Rose Ochi, Executive Director, California Forensic Science Institute introduced Ronald Iden who is currently an Honorary Board Member of the Forensic Science Institute. Mr. Iden introduced Bill Baker, Vice President and Director of the J. Edgar Hoover Foundation. Mr. Baker stated that to honor Mr. Hoover's legacy, the Foundation awards scholarships to students seeking degrees in the area of Law Enforcement and Civil Justice. Mr. Baker stated that this year's recipient was Alejandra Ramirez, a student at California State University Los Angeles. Ms. Ramirez is completing her Master's Degree in Forensic and Criminal Science. Mr. Baker presented Ms. Ramirez with a check for \$25,000 to assist her with tuition and educational expenses. Mr. Baker stated that Ms. Ramirez was selected from among a highly competitive field of candidates based on her exceptional qualifications and accomplishments.

CONSIDERATION OF FUTURE AGENDA ITEMS

Chair Fujioka requested for the Authority to meet in August to revisit the approved budget and proportionate share proposal.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:15 a.m.